



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

MAY 24 2000

Mr. H. Respass
Environmental and Regulatory Affairs
Union Camp Corporation
P.O. Box 5687
Spartanburg, SC 29304-5687

Ref. No: 88-0179

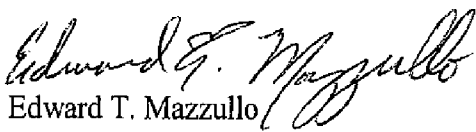
Dear Mr. Respass:

This is in response to your letter regarding the requirements for documenting test reports for UN performance-oriented packagings under the Hazardous Materials Regulations (HMR; 49 CFR parts 171-180). Specifically you ask whether you are required to document conditioning of a packaging in the test report required by § 178.601(l).

It is our determination that the requirement for test descriptions in § 178.601(l)(9) requires documentation of any applicable pre-test preparations, such as the conditioning of fiberboard packagings in § 178.602(d) and the conditioning of plastic packagings in § 178.603(c). Your inquiry points out the need for clarification of the requirement, which we anticipate doing in a future rulemaking.

I hope this information is helpful.

Sincerely,



Edward T. Mazzullo
Director, Office of Hazardous
Materials Standards



880179

178.601,
172704



Polydown
File 178.601, 172.704

CUSTOMER
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March 5, 1998

Mr. Edward T. Mazzullo
U.S. Department of Transportation
Research and Special Programs Administration
Office of Hazardous Materials Standards DHM-10
400 Seventh Street, S.W.
Washington, DC 20590

Dear Mr. Mazzullo:

On January 7, 1998, a 5M2 package manufacturing plant in my company was issued a Ticket for Noncompliance, Ticket Number: TKT-98-05-EA. We were cited for (1) failing to conduct function specific hazardous material training for production employees and maintain records thereof, and (2) failing to detail package conditioning in design qualification test records. My management elected not to make an informal response or to request a formal administrative hearing, and we paid the assessed penalty of \$650. I am writing you today to request regulatory clarification on the test records issue so that we may avoid a similar problem in the future.

ISSUE: FAILURE TO DETAIL PACKAGE CONDITIONING IN DESIGN QUALIFICATION TEST RECORDS

The inspector cited us for failure to document conditioning [178.602 (d)] as part of our test record [178.601 (l)]. We agreed that documentation of the conditioning on the test record was a sound suggestion, and immediately modified our test record form to include this information. I have studied the requirements of the test record in 178.601 (l) many times, however, and I do not understand which item in this paragraph can be interpreted as requiring the conditioning information. Would you please tell me which part of this section provides the regulatory requirement to include the conditioning information in the test record document, or whether it is, in fact, required by the regulations.

Thank you very much for your assistance with this question.

Sincerely,

Herb Respass

H. Respass
Environmental and Regulatory Affairs